

REPORT TO CONGRESS

IMPLEMENTATION AND ENFORCEMENT

OF THE COMBINED SEWER OVERFLOW

POLICY

DECEMBER 2001

(EXCERPTS)



Report to Congress

Implementation and Enforcement of the Combined Sewer Overflow Control Policy



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state files. EPA believes that this additional information on progress in implementing CSO controls and derived water quality benefits exists at the community level. EPA was hindered by the lack of a national data system for comprehensively evaluating the implementation and effectiveness of the CSO program, and by the lack of clear, national performance measures in place to assess the effectiveness of CSO control efforts on a national basis.

EPA Actions and Next Steps

What actions will EPA take to improve implementation and enforcement of the CSO Control Policy?

Despite significant efforts and progress by EPA, states, and CSO communities to implement CSO controls, more work remains to ensure that human health and the environment are adequately protected from CSOs. The 1994 CSO Control Policy provides a sound and appropriate framework for developing and implementing cost-effective CSO controls. With the codification of the CSO Control Policy in the 2000 amendments to the CWA, EPA will continue to work in partnership with the states to address remaining CSO issues. EPA will work aggressively with NPDES authorities, water quality standards authorities, and CSO communities to implement and enforce the CSO Control Policy. Based on the findings of this Report to Congress, EPA will pursue a number of activities to ensure the continued

effective implementation and enforcement of the CSO Control Policy.

Ensure That all CSOs are Appropriately Controlled.

- Implement the "shall conform" statutory mandate.
 - Begin efforts to implement new CWA Section 402(q) (1), which requires that future permits or other enforceable mechanisms for CSOs conform to the CSO Control Policy.
 - Ensure all CSOs are covered by an NPDES permit or other enforceable mechanism.
 - Follow up with NPDES authorities to ensure that NPDES permits or other enforceable mechanisms are issued as soon as possible for those CSO communities that have not yet been required to control CSOs. EPA will also work with the states to ensure that permits and enforcement actions (e.g., orders, decrees) conform with the CSO Control Policy, as required by the 2000 amendments to the CWA.
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- Improve Implementation of the CSO Control Policy.
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- Advocate CSO control on a watershed basis.
 - Continue efforts to focus protection of water quality on a watershed scale, and support development of LTCPs on a